

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAMON MAGANA, et al.,

Defendants.

CASE NO. CR15-0169-JCC

MINUTE ORDER CONTINUING
TRIAL AND EVIDENTIARY
HEARING

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter having come before the Court on Defendant Ramon Magana's second motion to continue trial (Dkt. No. 53) and the stipulated motion filed by the United States and Defendants Magana and Arnoldo Teran-Ruiz for an order continuing the trial date and evidentiary hearing date (Dkt. No. 55), and the Court having considered the motion and the waivers of Speedy Trial filed by the defendants (Dkt. Nos. 51 and 58), the Court now finds and rules as follows:

- (a) Taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendants the reasonable time necessary for effective preparation due to counsels' need for more time to receive and review evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C.

§ 3161(h)(7)(B)(iv); and

(b) A failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) The additional time requested is a reasonable period of delay; and

(d) The ends of justice will best be served by a continuance, and the ends of justice outweigh the best interests of the public and the defendants in any speedier trial, as set forth in 18 U.S.C. § 3161(h)(7)(A); and

(e) The additional time requested between the current trial date of February 1, 2016, and the new trial date of February 29, 2016 is necessary to provide counsel for the defendants the reasonable time necessary to prepare for trial, considering counsels' schedules and all of the facts set forth above; and

(f) The period of delay from the date of this order to the new trial date is excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

It is therefore ORDERED that the trial date in this matter shall be continued to February 29, 2016 at 9:30 a.m. The evidentiary hearing on Defendant Teran-Ruiz's Motion to Suppress is hereby CONTINUED to February 5, 2016 at 9:00 a.m.

Any motions *in limine* are due to the Court on or before February 19, 2016. Any other pretrial motions will be due on or before February 5, 2016. Trial briefs and proposed *voir dire* are due on or before February 19, 2016. A list of agreed upon and contested proposed jury instructions is due on or before February 19, 2016.

DATED this 25th day of January 2016.

William M. McCool
Clerk of Court

s/Paula McNabb
Deputy Clerk